

## **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed, and reconsideration and favorable action is respectfully requested.

### **CLAIM REJECTION UNDER 35 U.S.C. 103(a)**

Claims 1, 2 and 4-14 were originally rejected under 35 U.S.C. 103(a) as being unpatentable over Greedy in view of Saidian '557.

In addition, claim 3 was originally rejected under 35 U.S.C. 103(a) as being unpatentable over Greedy in view of Saidian '557, and further in view of Moore et al.

Responsive to this, claim 1 is amended so as to make the claimed invention more distinguishably patentable over the prior art references cited by the Examiner. Applicant also submits the following comments.

The claimed invention discloses “a suspension control device, comprising:  
a mechanical switch having a first side connected to an electric appliance;  
a control cord having an end connected to a second side of the mechanical switch; and

an electronic sensor having a first side connected to the electric appliance and the first side of the mechanical switch and a second side connected to the end of the control cord and the second side of the mechanical switch” as disclosed in the amended claim 1.

With reference to the Greedy reference, it does not teach “an electronic sensor having a first side connected to the electric appliance and the first side of the mechanical switch and a second side connected to the end of the control cord and the

second side of the mechanical switch” as disclosed in the amended claim 1 of the claimed invention.

With reference to the Saidian ‘557 reference, it disclosed an electric light socket 11a comprising a cord 106 having an end connected to a heat sink member 24a by means of a screw 107. Thus, the lamp 95 may be operated by touching the distal end 109 of the cord 106. The cord 106 preferably has an enlargement 111 at the distal end 109 to facilitate such touching and to increase the sensitivity of the light socket 11a to such touching (column 9, lines 30-40).

In comparison, the enlargement 111 facilitates touching of the cord 106 and does not function as a capacitive sensor. In addition, the enlargement 111 is mounted on the distal end 109 of the cord 106 and is not connected to the lamp 95 the light socket 11a.

Thus, the Saidian ‘557 reference does not teach “an electronic sensor having a first side connected to the electric appliance and the first side of the mechanical switch and a second side connected to the end of the control cord and the second side of the mechanical switch” as disclosed in the amended claim 1 of the claimed invention.

Therefore, from the above mentioned descriptions, it is apparent that the claimed invention has disclosed a suspension control device whose structure and function are quite different from and patentably distinguishable over that of the Greedy reference. It is believed that the Greedy reference, whether taken alone or in combination with the Saidian ‘557 reference, does not provide the elements and

objectives as are disclosed in the claimed invention, and cannot render obvious the claimed invention.

Accordingly, for all of the above-mentioned reasons, it is believed that the rejection of claim 1 under 35 U.S.C. 103(a) should be withdrawn, and the amended claim 1 should be allowable.

It is further submitted that the claims 2-14 should be allowable as they are dependent upon the amended claim 1 which is believed to be allowable.

### **CLAIM REJECTION UNDER DOUBLE PATENTING**

Claims 1-14 were originally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2 of copending Application No. 10/015,743. However, the Examiner kindly indicated that a timely filed Terminal Disclaimer would overcome the double patenting rejection.

Responsive to this, the applicant hereby signs a terminal disclaimer in compliance with 37 CFR 1.321(c) so as to overcome the provisional rejection based on the non-statutory double patenting grounds, and it is believed that the rejection should be removed. In addition, the applicant also submits the recording fee of \$50.00 for entering the terminal disclaimer.

Accordingly, from the above mentioned descriptions, it is believed that, the rejections under the judicially created doctrine of obviousness-type double patenting should be withdrawn, and the claims 1-14 should be allowable.

In view of the foregoing amendments and remarks, Applicant submits that the application is now in a condition for allowance and such action is respectfully requested.

Respectfully submitted,

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